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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

F. G. CROSTHWAITE, et al., as Trustees of  
the OPERATING ENGINEERS' HEALTH  
AND WELFARE TRUST FUND, et al.

Plaintiffs,

v.

C. APARICIO CEMENT CONTRACTOR,  
INC., a California corporation,

Defendant.

Case No.: C12-4343 YGR

**PLAINTIFFS' REQUEST TO VACATE  
CASE MANAGEMENT CONFERENCE**

Date: Monday, December 17, 2012

Time: 2:00 p.m.

Location: 1301 Clay Street  
Oakland, California

Courtroom: 5, 2nd Floor

Judge: The Honorable Yvonne G. Rogers

Plaintiffs hereby submit their Request to Vacate the Case Management Conference currently scheduled for Monday, December 17, 2012 at 2:00 p.m. in Courtroom 5.

1. A Complaint was filed in this action on August 17, 2012 for contributions due to the Trust Funds for work performed by the employees of Defendant C. Aparicio Cement Contractor, Inc.

2. A Judgment Pursuant to Stipulation ("Stipulation") has been recently executed to satisfy all amounts due, requiring Defendant to make monthly payments for a period of twelve (12) months, and to remain current in contributions through that time, until the Stipulation is satisfied in full. The Stipulation was filed with the court earlier today.

3. The parties are waiting for the Court to approve, execute, and enter the Judgment. There is nothing else for the Court to consider relative to this matter; therefore Plaintiffs

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**PROOF OF SERVICE**  
**Case No.: C12-4343 YGR**

respectfully request that the Court vacate the current Case Management Conference scheduled for December 17, 2012.

4. Plaintiffs recognize that a case management conference statement is due seven days in advance of the case management conference date and that the statement must include all elements requested in the "Standing Order for All Judges of the Northern District of California – Contents of Joint Case Management Statement" pursuant to Local Rule 16-9. Should this Court require Plaintiffs to file a case management conference statement, Plaintiffs will do so promptly.

Date: December 3, 2012


SALTZMAN & JOHNSON  
LAW CORPORATION

By: \_\_\_\_\_/s/\_\_\_\_\_  
Blake E. Williams  
Attorneys for Plaintiffs

**IT IS SO ORDERED**

The Case Management Conference currently scheduled for December 17, 2012 at 2:00 p.m. is hereby **VACATED**. All related deadlines are **VACATED** accordingly.

Date: December 10, 2012

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE